

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

CORTLAND SHELLEY,

Defendant.

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ORDER

05-cr-24-bbc

Defendant Cortland Shelly has filed a motion for clarification as to any deadline that may exist for filing a motion pursuant to 18 U.S.C. § 3582 and Amendment 706 to the Sentencing Guidelines. Defendant says that he has written to the federal defender's office and has received only one reply from them. It is not necessary for defendant to file anything at this time related to a § 3582 motion. His case is being reviewed by federal defender services. That office is currently reviewing and preparing the necessary paperwork on hundreds of motions for sentencing adjustments under the new crack cocaine amendments. In order to deal efficiently and expeditiously with so many such cases, the federal defender is addressing the motions in the reverse order of the inmates' release dates. Because defendant was sentenced to more than 17 years in prison, it is likely that it will be some time

before a motion is filed on defendant's behalf. Simply because defendant does not receive regular updates on his motion does not mean that nothing is being done. Once the federal defender has had an opportunity to review defendant's case, he will be filing the appropriate documents on his behalf.

Entered this 6th day of February, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge